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8 District of Nevada  
*Of Counsel*

9 *Attorneys for the United States of America*

10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 MICHAEL F. REEDER,

13 Plaintiff,

14 v.

15 UNITED STATES OF AMERICA,

16 Defendant.

17 PAMELA M. O'KEEFE, as Trustee  
18 for the JORDAN GRACE REEDER  
19 IRREVOCABLE TRUST,

20 Plaintiff,

21 v.

22 UNITED STATES OF AMERICA,

23 Defendant.

Civil No.: 3:15-cv-00129-MMD-WGC

**STIPULATION BY ALL PARTIES FOR  
ENTRY OF JUDGMENT ON UNITED  
STATES' COUNTERCLAIM AGAINST  
MICHAEL F. REEDER AND  
DISMISSAL OF REFUND AND QUIET  
TITLE ACTIONS**

1 UNITED STATES OF AMERICA,

2 Counterclaimant,

3 v.

4 MICHAEL F. REEDER

5 Counterclaim Defendant

6 and

7 PAMELA M. O'KEEFE, as Trustee  
8 for the JORDAN GRACE REEDER  
9 IRREVOCABLE TRUST and the  
10 DARBY LEIGH REEDER  
11 IRREVOCABLE TRUST; BANK  
12 OF AMERICA, N.A.; and  
HERITAGE BANK OF NEVADA,

Additional Defendants on  
Counterclaim.

13 Plaintiff and Counterclaim Defendant Michael F. Reeder, Plaintiff and Counterclaim  
14 Defendant Pamela O'Keefe, as Trustee of the Jordan Grace Reeder Irrevocable Trust ("JGR  
15 Trust") and the Darby Leigh Reeder Irrevocable Trust ("DLR Trust"), Counterclaim Defendant  
16 Bank of America, N. A., Counterclaim Defendant Heritage Bank of Nevada, and Defendant and  
17 Counterclaim Plaintiff United States of America ("United States"), by and through their  
18 undersigned counsel, hereby enter into the following stipulation to resolve the above-captioned  
19 consolidated action:

20 1. Michael F. Reeder stipulates and agrees that judgment shall be entered against  
21 him and in favor of the United States on the Government's Counterclaim in the amount of  
22 \$1,100,000, plus statutory interest accruing from July 19, 2019 pursuant to 28 U.S.C.  
23 § 1961(c)(1) and 26 U.S.C. § 6621(a)(2) and 6622. The judgment will be for the following tax  
24  
25

1 assessments against him of federal excise tax liabilities, including interest and penalties: (a)  
2 federal excise tax imposed under I.R.C. Section 4401 (26 U.S.C.) for each month from  
3 September 1993 through March 1997, inclusive and (b) federal excise tax imposed under I.R.C.  
4 Section 4411 of the Internal Revenue Code for periods ending on or about July 1, 1994, July 1,  
5 1995, and July 1, 1996 (“subject excise taxes”).

6 2. Pamela O’Keefe, as Trustee for the JGR Trust, stipulates and agrees that the  
7 United States’ judgment on the Counterclaim against Michael Reeder and the federal tax liens  
8 for the subject excise taxes attach to the Glenbrook and Morgan Mill Properties identified in the  
9 Counterclaim, and that the United States may file abstracts of judgment with respect to these  
10 properties.

11 3. Pamela O’Keefe, as Trustee for the DLR Trust, stipulates and agrees that the  
12 United States’ judgment on the Counterclaim against Michael Reeder and the federal tax liens  
13 for the subject excise taxes attach to the Hawaii condominium located at 520 Lunalio Home  
14 Road #7311, Honolulu, Hawaii 96825, and that the United States may file abstracts of judgment  
15 with respect to this property.

16 4. The United States’ Counterclaim against Counterclaim Defendant Bank of  
17 America, N.A. with respect to the Glenbrook Property shall be dismissed.

18 5. The United States’ Counterclaim against Counterclaim Defendant Heritage Bank  
19 of Nevada with respect to the Morgan Mill Property shall be dismissed.

20 6. Michael Reeder’s Complaint for Refund and Abatement of Federal Excise Taxes  
21 against the United States shall be dismissed with prejudice.

22 7. The Quiet Title Action by Pamela O’Keefe, as Trustee for the JGR Trust, against  
23 the United States shall be dismissed with prejudice.

1           8.       Each party to this consolidated action shall bear his, her or its respective costs,  
2 including attorneys' fees or other expenses of the litigation.

3  
4 DATED: August 6, 2019

/s/Henry C. Darmstadter  
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11 PANITZ & KOSSOFF, LLP

12  
13 DATED: August 6, 2019

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17 MALCOLM & CISNEROS

18 DATED: August 6, 2019

/s/Nathan F. Smith  
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DATED: August 6, 2019

/s/Mark G. Simons

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Attorneys for Heritage Bank of Nevada

The foregoing stipulation is granted.

DATED: August 8, 2019

IT IS SO ORDERED:

A handwritten signature in blue ink, appearing to read 'Mark G. Simons', is written over a horizontal line.

UNITED STATES DISTRICT COURT  
JUDGE